

TAB 35

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INTEROFFICE MEMO

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DATE: 3/19/2003  
TO: OFFICE STAFF  
FROM: ROBERT COLTON  
RE: MEMBER BENEFITS CANCELTION POLICY & OVERDUE ACCOUNTS  
PRIORITY: [URGENT]

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All members two months or more behind on their Health Insurance Premiums (HIP) will have claims put on hold. A letter will be sent immediately to member regarding their overdue account with a request to call the Guild office as soon as possible. In addition, a phone call shall be placed to each one of these members. If contact is not made **and** an agreement with a **significant payment received** by the Guild, both health and spouse life insurance will unfortunately, have to be canceled as directed by the insurance carriers.

All future temporary disability payments to members will be compared to Health Insurance Premiums (HIP) Accounts Receivable (A/R) list and if any amount is owed to the Guild, the disability payment shall be withheld until the balance is satisfied or another arrangement is made by the member. A letter informing the member shall be immediately sent.

3/19/2003

Confidential

TAB 36

# Guild Health Insurance as of 3/1/05

Name

Monthly Rate

Balance

JOCKEYS' GUILD  
HEALTH PLAN MEMBERS'  
NAMES AND SOCIAL SECURITY  
NUMBERS REDACTED  
(A-Ca)

\$530.00	\$5,973.00
\$690.00	(\$6,731.00)
\$690.00	\$9,528.00
\$280.00	\$1,660.00
\$280.00	\$887.00
\$280.00	\$1,100.00
\$280.00	\$2,075.00
\$280.00	(\$1,329.00)
\$690.00	\$3,418.00
\$530.00	\$11,273.00
\$280.00	(\$1,092.00)
\$280.00	(\$1,117.00)
\$690.00	\$2,115.00
\$280.00	(\$964.00)
\$190.00	(\$166.00)
\$690.00	(\$2,086.00)
\$280.00	\$1,102.00
\$690.00	(\$1,154.00)
\$280.00	\$860.00
\$890.00	\$3,359.00
\$690.00	\$1,480.00
\$70.00	(\$2,969.00)
\$690.00	\$1,473.00
\$690.00	\$1,098.00
\$280.00	\$4,998.00
\$530.00	\$3,607.00
\$690.00	\$2,146.00
\$530.00	\$1,879.00
\$280.00	\$4,219.00
\$280.00	\$660.00
\$530.00	(\$2,177.00)
\$280.00	(\$7,549.00)
\$280.00	(\$39.00)
\$280.00	\$2,013.00
\$690.00	(\$4,555.00)
\$530.00	\$5,464.00
\$190.00	(\$417.00)
\$280.00	(\$2,842.00)
\$280.00	\$298.00
\$280.00	(\$796.00)
\$690.00	\$1,646.00
\$190.00	(\$3,411.00)
\$690.00	\$19,148.00
\$530.00	\$0.00
\$140.00	(\$108.00)
\$280.00	\$131.00
\$280.00	(\$1,657.00)
\$690.00	\$5,754.00

JOCKEYS' GUILD  
HEALTH PLAN MEMBERS'  
NAMES AND SOCIAL  
SECURITY NUMBERS  
REDACTED  
(Ca - Es)

\$690.00	(\$4,538.00)
\$280.00	\$3,143.00
\$280.00	(\$75.27)
\$690.00	\$3,136.00
\$280.00	\$1,505.00
\$690.00	\$923.00
\$690.00	\$916.00
\$280.00	\$3,660.00
\$280.00	\$384.00
\$690.00	\$1,335.65
\$690.00	\$1,998.00
\$530.00	\$7,093.00
\$280.00	\$726.00
\$180.00	(\$149.00)
\$280.00	\$534.00
\$690.00	\$6,089.00
\$690.00	\$692.00
\$690.00	\$5,303.00
\$280.00	\$273.00
\$280.00	(\$6,943.00)
\$530.00	\$1,448.00
\$280.00	(\$465.00)
\$690.00	\$2,085.00
\$690.00	\$9,365.00
\$690.00	\$7,643.00
\$690.00	\$2,155.00
\$280.00	\$118.00
\$280.00	\$3,602.00
\$690.00	\$156.00
\$690.00	\$10,130.00
\$690.00	\$5,782.00
\$690.00	\$1,480.00
\$530.00	(\$290.00)
\$690.00	\$5,678.00
\$280.00	\$1,092.00
\$530.00	\$6,414.00
\$690.00	(\$5,393.00)
\$690.00	\$1,480.00
\$530.00	\$9,722.00
\$690.00	\$13.00
\$690.00	(\$509.00)
\$280.00	\$5,519.00
\$280.00	(\$1,369.00)
\$690.00	\$4,444.00
\$280.00	(\$485.00)
\$280.00	(\$1,066.00)
\$280.00	(\$72.00)
\$690.00	(\$4,584.00)
\$690.00	\$6,306.00
\$280.00	\$0.00
\$280.00	\$6,535.00
\$690.00	\$3,492.00

JOCKEYS' GUILD  
HEALTH PLAN MEMBERS'  
NAMES AND SOCIAL  
SECURITY NUMBERS  
REDACTED  
(Es - La)

\$530.00	\$1,843.00
\$690.00	\$7,018.00
\$690.00	\$327.00
\$690.00	\$9,646.00
\$690.00	\$1,333.00
\$690.00	\$2,630.00
\$530.00	(\$620.00)
\$690.00	(\$434.00)
\$690.00	(\$5,402.00)
\$280.00	\$659.00
\$690.00	\$12,824.00
\$280.00	(\$1,426.00)
\$280.00	(\$220.00)
\$530.00	\$3,868.01
\$190.00	\$3,546.00
\$280.00	\$2,154.00
\$690.00	\$5,217.00
\$530.00	\$1,232.00
\$530.00	\$665.00
\$280.00	(\$6,868.00)
\$690.00	\$96.00
\$530.00	(\$405.00)
\$530.00	\$1,160.00
\$690.00	\$2,100.00
\$690.00	\$2,546.00
\$690.00	\$1,326.00
\$190.00	\$14.00
\$530.00	\$5,112.00
\$280.00	\$2,715.00
\$280.00	(\$222.00)
\$280.00	\$1,085.00
\$190.00	(\$509.00)
\$280.00	(\$81.00)
\$690.00	(\$3,140.00)
\$690.00	(\$4.00)
\$280.00	\$2,571.00
\$280.00	\$1,685.00
\$70.00	(\$480.00)
\$530.00	\$950.00
\$70.00	(\$319.00)
\$690.00	\$612.00
\$280.00	\$660.00
\$280.00	(\$60.00)
\$280.00	\$790.00
\$280.00	(\$1,024.00)
\$690.00	\$1,361.00
\$690.00	\$6,407.00
\$690.00	\$1,480.00
\$690.00	\$1,480.00
\$690.00	\$286.00
\$530.00	(\$10,742.00)
\$690.00	\$3,464.00

JOCKEYS' GUILD HEALTH  
PLAN MEMBERS' NAMES  
AND SOCIAL SECURITY  
NUMBERS REDACTED  
(La - Mu)

\$690.00	\$886.00
\$280.00	\$660.00
\$530.00	\$1,048.00
\$690.00	\$2,324.00
\$280.00	\$169.00
\$280.00	\$9.00
\$690.00	\$6,244.00
\$690.00	\$1,480.00
\$690.00	\$3,958.00
\$690.00	(\$1,110.00)
\$280.00	\$1,465.00
\$280.00	(\$818.00)
\$190.00	(\$42.00)
\$690.00	\$494.00
\$690.00	\$220.00
\$690.00	\$8,935.00
\$690.00	\$2,439.00
\$280.00	\$4,627.00
\$690.00	\$1,503.00
\$530.00	\$2,126.00
\$280.00	\$2,954.00
\$690.00	\$4,308.00
\$690.00	\$1,793.00
\$280.00	(\$1,126.00)
\$280.00	\$2,277.00
\$690.00	\$6,870.00
\$530.00	\$724.00
\$280.00	(\$1,251.00)
\$530.00	\$630.00
\$690.00	\$987.00
\$530.00	\$5,109.00
\$280.00	\$5,464.00
\$280.00	(\$5,863.00)
\$690.00	\$1,480.00
\$280.00	(\$80.00)
\$690.00	\$9,345.00
\$690.00	\$813.00
\$690.00	\$1,335.00
\$690.00	(\$6,844.00)
\$280.00	\$2,572.00
\$690.00	\$5,069.44
\$690.00	\$2,878.00
\$530.00	\$4,331.00
\$690.00	\$3,862.00
\$190.00	(\$421.00)
\$690.00	\$7,593.00
\$280.00	(\$2,848.00)
\$280.00	\$4,049.00
\$690.00	\$11,151.00
\$280.00	(\$820.00)
\$280.00	(\$952.00)
\$280.00	\$321.00

JOCKEYS' GUILD HEALTH  
PLAN MEMBERS' NAMES  
AND SOCIAL SECURITY  
NUMBERS REDACTED  
(Mu-Ro)

\$280.00	\$246.00
\$530.00	(\$1,066.00)
\$280.00	\$1,278.00
\$280.00	\$153.00
\$690.00	\$5,722.00
\$280.00	\$471.00
\$530.00	\$401.00
\$530.00	\$2,676.00
\$530.00	\$548.00
\$690.00	\$707.00
\$280.00	\$720.29
\$690.00	(\$1,822.00)
\$280.00	\$246.00
\$70.00	(\$981.00)
\$690.00	(\$8,558.00)
\$530.00	\$1,041.00
\$280.00	\$560.00
\$530.00	\$1,557.00
\$690.00	\$2,200.00
\$280.00	(\$964.00)
\$280.00	(\$185.00)
\$280.00	\$631.00
\$280.00	\$261.00
\$530.00	\$1,146.00
\$690.00	\$829.00
\$690.00	\$9,180.00
\$690.00	\$1,424.00
\$690.00	\$2,467.00
\$690.00	\$2,497.00
\$690.00	\$542.00
\$690.00	(\$8,516.00)
\$280.00	\$470.00
\$280.00	\$6,330.00
\$263.93	\$1.20
\$690.00	\$780.00
\$690.00	(\$6,481.00)
\$690.00	(\$2,233.00)
\$280.00	\$1,116.00
\$280.00	\$132.00
\$690.00	(\$145.00)
\$690.00	\$2,777.00
\$530.00	\$2,689.00
\$690.00	\$8,982.00
\$280.00	(\$937.00)
\$690.00	\$3,477.00
\$690.00	\$1,480.00
\$280.00	\$982.00
\$690.00	\$2,956.00
\$280.00	\$541.00
\$280.00	\$660.00
\$690.00	\$5,459.00
\$690.00	\$664.00



JOCKEYS' GUILD HEALTH  
PLAN MEMBERS' NAMES  
AND SOCIAL SECURITY  
NUMBERS REDACTED  
(Ro - Ve)

\$690.00	\$7,099.85
\$280.00	\$1,452.85
\$690.00	\$1,593.00
\$690.00	\$1,025.00
\$280.00	\$1,892.00
\$280.00	\$201.00
\$280.00	\$660.00
\$690.00	\$1,137.00
\$690.00	\$628.00
\$280.00	\$6,639.00
\$690.00	\$395.00
\$690.00	\$1,454.00
\$690.00	\$948.00
\$280.00	\$232.00
\$690.00	\$19,185.00
\$690.00	\$5,679.00
\$690.00	\$13,306.00
\$280.00	\$1,183.00
\$690.00	\$2,667.00
\$530.00	\$1,160.00
\$690.00	\$1,015.00
\$690.00	\$1,319.00
\$280.00	(\$1,166.00)
\$280.00	\$254.00
\$690.00	(\$587.00)
\$530.00	\$1,034.00
\$280.00	\$1,074.00
\$690.00	\$1,126.00
\$690.00	\$5,064.00
\$690.00	\$1,238.00
\$280.00	(\$1,177.00)
\$530.00	\$892.00
\$690.00	\$12.00
\$280.00	\$1,130.00
\$280.00	\$387.00
\$530.00	\$885.00
\$690.00	\$2,290.00
\$280.00	\$2,159.00
\$530.00	(\$1,099.00)
\$690.00	\$1,364.00
\$690.00	(\$267.00)
\$690.00	\$12,759.00
\$280.00	(\$2,498.00)
\$280.00	\$882.00
\$280.00	\$2,516.00
\$690.00	\$5,757.00
\$690.00	\$4,464.00
\$280.00	\$3,773.00
\$690.00	\$8,528.00
\$140.00	\$699.00
\$690.00	\$7,519.00
\$690.00	(\$2,426.00)

JOCKEYS' GUILD HEALTH  
PLAN MEMBERS' NAMES  
AND SOCIAL SECURITY  
NUMBERS REDACTED  
(V<sub>e</sub> - Z)

\$280.00	(\$1,971.00)
\$690.00	\$921.00
\$280.00	\$233.00
\$690.00	(\$5,724.00)
\$690.00	\$1,832.00
\$530.00	\$1,159.00
\$280.00	\$0.00
\$280.00	\$2,356.00
\$280.00	\$4,860.00
\$690.00	\$1,079.00
\$280.00	\$5,589.00
\$530.00	(\$1,103.00)
\$690.00	\$1,333.00
\$280.00	\$625.00
\$280.00	\$113.00
\$280.00	\$1,202.00
\$280.00	\$4,009.00
\$280.00	\$616.00
\$690.00	(\$2,189.00)
\$690.00	\$7,304.00
\$690.00	\$4,579.00
\$280.00	\$1,650.00
\$690.00	\$7,057.00
\$280.00	(\$2,099.00)
\$690.00	\$1,480.00
\$690.00	\$509.00
\$280.00	\$5,656.00
\$280.00	\$660.00
\$690.00	\$943.00
\$280.00	(\$2,243.00)
\$280.00	\$781.00
\$530.00	\$0.00
\$280.00	(\$1,696.00)

TAB 37

[REDACTED]

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**From:** Rosy De Sanctis [REDACTED]  
**Sent:** Monday, November 10, 2003 3:20 PM  
**To:** esouth@jockeysguild.com; gasatryan@jockeysguild.com; 'Stephen J. Rice';  
trichardson@jockeysguild.com  
**Subject:** SILVA, CARLOS H [REDACTED] - Carlos Jr. was denied coverage when filling a prescription  
**Importance:** High

Eric:

Mrs. Silva called today to let us know Carlos Jr. tried to fill out a prescription today and was told by the pharmacist he has no coverage.

I advise Mrs. Silva to fax to our office a copy of the prescription and the receipt showing the amount spent getting Carlos Jr.'s medication. I will be calling P5 as soon as I get the requested fax so I can take care of this matter.

Also Mrs. Silva wants to know the status of reimbursements for previous prescriptions they tried to fill out but were told they are not cover by pharmacist. Please follow up on this ASAP. They have been having a lot of problems when using the Guild's HIP.

I have a question of anybody who might have an answer:

What is the process to reimburse our members for money spend on prescriptions? Who is in charge of making and sending those checks? Please let me know

Thanks,

Rosy

9/13/2005

TAB 38

**Minutes of the Delaware Jockey's Health  
& Welfare Benefit Board Meeting  
Thursday, July 21, 2005**

The Delaware Thoroughbred Racing Commission met at the Delaware Park with the following individuals in attendance:

**Committee Members Present**

Edward J. Stegemeier, <i>Chairman</i>
Jennifer Bramblett, <i>Jockey</i>
Ramon Dominguez, <i>Jockey</i>
Bernard J. Daney, <i>Ex Officio Member</i>
William Fasy, <i>COO, Delaware Park</i>
Albert Fiss, <i>Jockey's Guild</i>
Michael McCarthy, <i>Trainer</i>
Patricia Murphy, <i>Esq., Commission Counsel</i>

**Others Present**

Sharon Dominguez, <i>member of the public</i>	H. James Decker, <i>DTRC Commissioner</i>
John F. Wayne, <i>Executive Director</i>	Larry Saumell, <i>Jockey's Representative</i>
	Jo Ann M. Price, <i>Administrative Specialist I</i>

Welcome/Call to Order

Chairman Stegemeier called the meeting to order at 10:17 a.m., and welcomed those in attendance. He expressed his disappointment and frustration with the lack of real progress in resolving issues that existed when these meetings began. Some issues need resolution today.

- ❖ *Jockey Lists Requested:* Mr. Daney noted discrepancies between his records and the Guild's lists previously received. He asked for current, updated lists of the covered and new jockeys who have made the 50-ride requirement for 2004 and 2005.
- ❖ *Refusal of Insurance Coverage:* Mr. Daney also asked if registered letters were sent to inform jockeys of their options, as some jockeys are unaware of them. Mr. Fiss acknowledged that registered letters are mailed. Ms. Bramblett confirmed that jockeys are contacted regarding administrative costs, even if they are not members of the Guild.
- ❖ *December 2004 Audit:* Mr. Daney also requested a breakdown of the disabled jockey funds, life insurance costs, and how the health, dental, and self insurance vision cost figures were arrived at. The Board needs clarification in order to give the Guild the moneys owed. Mr. Asatryan was invited to contact Mr. Daney directly.

- ❖ *Secondary Health Care:* Chairman Stegemeier asked if the Guild asks if jockeys have health care from another source. The jockeys are asked to complete the Guild's questionnaire, which includes this question. It is the jockey's choice to consider the Guild coverage as primary or secondary.
- ❖ *Jockey's Standings List:* Mr. Daney asked if the Guild is receiving the jockey's standings lists, as there is a jockey under the assumption he would not have to pay any premiums. Mr. Fasy confirmed they are being sent. Mr. Fiss agreed to send a report notifying the Board of who has responded to their offer of Guild insurances. Commissioner Patterson emphasized the need for education, so the jockeys understand how important it is. A form has been created to document refusal of Guild benefits. Mr. Saumell suggested a meeting be set up next month with all the Delaware jockeys to make them aware of the benefits. Mr. Daney will attend. Mr. Fiss will provide Mr. Fasy a copy of the checklist and the forms received so far.
- ❖ *Trust Monies:* Commission Counsel spoke to Ms. LaPlant at BB&T about the return of the trust monies. The Guild has the power to cancel the trust. Ms. LaPlant will accept a regular letter to instruct her to cancel the trust and move the monies, but the letter has to come from someone in the Guild who is a plan administrator on the old list. This is the only list the Bank has. Mr. Fiss said the bank should have the new letter, but he will have someone write the letter. Mr. Daney explained that the check should be made out to the State of Delaware, Department of Agriculture (DDA.) Last year's Senate Bill 338 directed the change in policy. The amounts of monies in the Kentucky and Delaware accounts were discussed.
- ❖ *Agreement Proposed by Guild:* Commission Counsel's opinion was that the Board has no legal authority to sign such an agreement. Also, other problems were raised by Delaware Park, which could be addressed. Her understanding was that there would not be a written agreement, although she could draft something if the Board decided to do that. Many changes would need to be made to the present draft.
- ❖ *Composition of Committee:* The Governor does not appoint the members; the statute directs the number and composition of the Board, and the Thoroughbred Commission appoints the members. There has been no official notification of a replacement for Mr. Castillo. Mr. Dominguez has been sitting in temporarily, but will have frequent commitments out of town. A possible replacement was discussed. Mr. Daney recommended that Juan Umana be appointed. This needs to be resolved. For today's voting purposes, a quorum is present.
- ❖ *Motion to Pay Monies Owed:* Mr. Fasy made a Motion for the Board to pay the monies (approximately \$147,000) owed to the Guild. Michael McCarthy seconded. Mr. Fiss abstained. All other members voted affirmatively.
- ❖ *Resolution to Transfer Kentucky Monies:* Mr. Fasy also made a Motion that the Guild be directed to immediately transfer the \$527,000 to the account at the Department of Agriculture. Michael McCarthy seconded. Mr. Fiss abstained. All other members voted affirmatively. Mr. Fiss will get this done by next Friday and will copy the Board on any letters sent to Ms. LaPlant.
- ❖ *Coverage of Jockeys:* The Chairman asked if all qualified jockeys are being covered, if any jockeys who are not qualified are being covered and what the actual insurance coverage is. Mr. Fiss surmised possibly Tony Black and all the retired jockeys are being covered. All jockeys who have just gained eligibility have been asked to take the physical, but Mr. Fiss doesn't know who they are.
- ❖ *Proposed Options:* The Chair emphasized that it is time for resolution, as the AG's office said the agreement the Guild proposed is not something they should sign and the Guild is issuing benefits without limit; this takes away authority from this Board. He sees three possible options: 1) Find a way to negotiate an agreement and have the Guild administer it. The

negative is that this is not the best use of the funds, and there would be no control over the coverage or who participates. 2) Have the Guild bill each jockey for the full amount of insurance, and have the Board pay the retired jocks the amount the Guild is currently paying (17.2 %.) Non-Guild members would be required to pay the same amount the Guild members get and would have to show proof of their policies. It was suggested the Horsemen's bookkeeper could play a role in this, but Mr. Fasy would have to look into it. The Board does have the ability to hire an administrator to handle these funds. This would be a \$500 savings to the jockeys, and there would be an accurate accounting of who would be covered, as the jockeys would be asking for the money. The negative is the Guild would determine the type of coverage for each jockey. 3) Develop a local qualified plan for the jockeys, such as Blue Cross Blue Shield. All qualified jockeys would be covered, the Board has a say, and there is the \$500 savings. The negative would be running the risk of increased costs due to the smaller number of group participants to work with, which could lead to greater difficulty in obtaining a plan. Fortunately, most jockeys have lower claim rates. They are generally younger in age. Mr. Fiss added that another advantage would be a potential in the third option of having a plan that does not exclude work related injuries. The single largest negative of the Guild's plan is that it does not cover medical expenses due to on-track injuries. A family health insurance plan for eligible Delaware jockeys does not have an exclusion or rider for medical claims for on-track injuries.

- ❖ *Former Guild Plan:* Mr. Fiss explained in the former plan, which was cancelled, Ulico did not have a rider stipulating that work related injuries were not covered. In April 2001 the Guild cancelled the family health policy for Delaware, California and permanently disabled family members and purchased a million dollar catastrophic policy through the same broker. Mr. Fasy did not recommend the Board considering including catastrophic insurance, as more funding would be needed. Mr. Fiss agreed, stating that since Delaware Park has stepped up with a million dollar policy, the missing piece is a long term disability policy.

- *Discussion of Options:*

- *Affordability:* Ms. Bramblett felt Option 2 would be tough, even though it saves money, because nobody would do it. She liked Option 3, even though it was more expensive. This would only be for 30-40 riders.
- *Research Option 3:* The Chairman will take the initiative to research Option 3, and has already spoken to some insurance representatives.
- *Fraud for Track Related Illnesses:* Mr. Fiss offered the three components to consider are the insurance company, the network of doctors and hospitals and the plan administrators. The benefit of the Guild's plan is that it is a national network, so wherever there will be a doctor or hospital relatively close to where the jockeys ride. The insurance has a very high deductible (\$75,000) that the Guild pays. Until that deduction is exhausted, a third party comes in and pays the bills. There was fraud on the part of the jockeys using the old family health plan for track related injuries. At the hospital, the jockeys gave the Guild card, and so the Guild was paying about 50% of all medical claims, which actually were work related. That number is now down to less than 1%. This becomes the Board's dilemma if they go with a third party. Commissioner Patterson commented that the Board would only be dealing with 30 jockeys, not hundreds.
- *No RFP:* The Chairman suggested working with one insurance agent, who would come up with options, as the RFP process requires preparation of the RFP, asking each group to submit their proposals to them, and is a long, drawn out process. Mr. Fasy suggested asking for three proposals, and have



the Guild supply the costs/participant for just jockeys and for non-Guild members for comparison. Mr. Fiss added that HIPPA laws will restrict him, but he will get the information to the Board.

- *Cost of Benefits:* Mr. Fiss said the most difficult part is to determine what the costs are for the benefits. Chairman Stegemeier suggested asking the participants what coverage they wanted and offering a breakdown of the cost for each benefit. They would allow them to make the decision.
- *Fourth Proposal:* Mr. Fasy suggested a fourth proposal—that the Guild administrate the plan as is, and the Board add whatever additional insurance it wants. Maybe the Board could pay the \$1,000, so the jockeys wouldn't have to pay a premium, or take the \$200 they are paying and buy something else with that.
- *Preferred Doctors Not in Current Network:* Ms. Bramblett said riders have complained that they cannot use the doctors they want or they have to pay a lot more out of their pocket. Mr. Fiss suggested encouraging the doctors to join the network.
- *Security of Fund Monies:* Mr. Fiss asked for clarification regarding the monies that will be in the account at DDA. Will the legislators see it not being used and appropriate it for another use? The total was estimated at close to a million dollars. Mr. Wayne explained that the Senate Bill earmarked those monies for a specific purpose. The fund is protected as racing money, and will stay in that fund account. \$360,000 has been added for the 2006 fiscal year. There's approximately an excess of \$500,000, with no restrictions on the money. Chairman Stegemeier added that the money will generate interest and the Board could go out and generate additional coverage with it. Mr. Wayne asked if the increased costs would justify a surplus. Mr. Fasy said insurance companies do yearly forecasts of where the losses will be. Mr. Fiss added most insurance companies look at a profit margin of 25%. They don't want to see claims go above 75%, so the Board could almost expect a 6% yearly increase on an administrative basis.

*Motion:* Mr. Daney made a Motion for the Board to take the four alternatives, get the expected cost for each alternative and evaluate the results to determine the best alternative. Ms. Bramblett seconded. Mr. Fiss abstained. All other members voted affirmatively.

Chairman Stegemeier will contact Mike Taylor of The Zutts Group and report back to the Board with some recommendations. No further meetings will be scheduled until this information is obtained. Ms. Bramblett was concerned a local plan might hurt jockeys if they move out of the state. Mr. Fiss said anybody who is a Guild member can participate in the Guild's plan if they pay their premium and have a physical to determine any pre-existing conditions.

*Requirements for Delaware Riders:* Ms. Bramblett has spoken to numerous riders, who feel getting the 50 mounts in this colony is difficult enough. She asked if there was a way to give an option to the 5-6 riders who don't always get the 50 mounts. Chairman Stegemeier responded as the group swells in number, the benefits will have to be lowered to keep the costs under control. There is an average of 30-35 Delaware riders. There were 45 Delaware riders in 2004. Some will not be covered next year. Mr. Fiss said he could look at establishing a second level for say, 30-50 rides for the meet, but it would be a higher cost for the jockeys.

*Regulations Needed:* Commission Counsel reminded the Board to determine what makes Delaware riders eligible, as this should be legislated. Mr. Fasy added that a clarification of retired rider's options should be made.

#### Old Business

*Insurance Status of King Family:* Mr. Fiss is waiting for the results of their physicals. Chairman Stegemeier spoke to Mrs. King. The Board has received letters stating the family wants the extra coverage through the Guild. Mr. Saumell offered Mr. King also has insurance through Kentucky, and is looking for more. Mr. Stegemeier said the issue is if he is qualified for the Guild's insurance.

#### New Reins

The Guild is endorsing a new set of reins; Mr. Saumell brought them to show the Board. The reins are a safety feature to prevent them from breaking during a race which may cause an accident.

#### Adjournment

At 11:35 a.m., Mr. McCarthy moved to adjourn, Mr. Fiss seconded, and the Motion passed unanimously.

TAB 39



## THE JOCKEYS' GUILD MEMBER BENEFITS

### THE JOCKEY GUILD'S PURPOSE:

The Guild promotes, protects, and serves the welfare and prestige of the American professional jockey community with integrity, equity, and justice.

### WHO IS ELIGIBLE?

Anyone who holds a valid jockey license, is in good standing in all racing Jurisdictions, and has ridden one mount in the previous 12 months.

### WHAT ARE THE BENEFITS?

- An organization, controlled by its members, that encourages participation.
- Representation of Jockeys inside and outside the racing industry.
- Collective Bargaining through legislative, lobbying efforts, and employer negotiations.
- Eligibility to participate in a health, dental, and prescription drug plan.
- Eligibility to participate in a retirement plan.
- Temporary Disability Income of \$200 per week above the Guild/TRA agreement and \$100 per week in worker's comp states for up to 2 years.
- Disable Jockey Program that includes disability and health insurance for you and your family for the rest of your life.
- Eligibility to participate in the Guild's Disabled Jockeys Trust Fund.
- Life insurance of \$50,000 that increases to \$100,000 if you ride 500 races annually or have 10,000 lifetime mounts in your Guild membership.
- Management team dedicated to serving Spanish and English speaking members.
- Email forwarding with yourname@jockeysguild.com

### HOW MUCH DOES IT COST?

An initiation fee of \$100, annual dues of \$100, and assessment of \$3 per mount.

### HOW CAN I JOIN?

Call **866-GOJOCKS** (866.465.6257) and ask for a new member package or Ask your local Jockeys' Guild delegate at any racetrack.

TAB 40

# THE JOCKEYS' GUILD TOOLS

## A. VISUALS

1. The \$10 Plan
2. "NETWORTH"
3. Bill of Rights
4. Endowment Patch
5. Rubber Bands
6. Jockey Name Plates
7. Colony Placards
8. Delegate Plaques
9. Arcaro Colony Shirts
10. Handcuffs
11. Bacon and Eggs

## B. DOCUMENTS

1. By-Laws
2. TRA Proposal
3. Labor-Management Agreement
4. Commission Recommendations
5. Premises Liability Boilerplate

## C. ACTION

1. Regional Workshops
2. Member Discipline
3. Job Action
4. Jail Time
5. No Where vs. Now Here
6. Line of Commitment

## **THE JOCKEYS' GUILD CHALLENGES**

### **A. SOLIDARITY**

1. 1200 Members
2. 1200 Media Contracts Signed
3. 1200 Yellow Cards Signed
4. 164 Delegates and Alternates

### **B. SABOTEURS**

1. Apathy
2. Desire to See the Guild Fail
3. Greed
4. Hypocrisy
5. False Reports to State Boards
6. Robert Colton
7. JMG and Wietsma

### **C. ENEMY COMMENTS**

1. "I fully support the Guild, but . . ."
2. "Dr. is a Communist!"
3. Any demand that the Guild disprove a negative
4. "No one loves the jockeys more than I do, but . . ."

### **D. WEAPONS**

1. 25 Arcaro Colonies
2. 45 Voluntary Attorneys
3. \$5 Million War Chest
4. \$10 Million Endowment

## THE JOCKEYS' GUILD WAR PLANS

### A. TRA Negotiations

1. First Meeting in December, 2002
2. Proposal Completed in February, 2003

### B. Commission Rule Recommendations

1. Drafting Begun in May, 2004
2. "Scale of Weights" presented to the CHRB in May, 2004

### C. Guild-Track Contracts

1. Agreement Completed in May, 2004
2. Magna Informed in May, 2004
3. Discussions with Curchill Downs
4. New California Labor Law and Workers' Comp

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### D. Federal Media Rights

1. Richard A. Wallen, esq. engaged in June, 2004
2. Media Rights Contract redrafted by June, 2004
3. 1000 Media Contracts signed by July, 2004
4. File for Declaratory Relief (or Judgement)
5. File for a Cease and Desist Order

### E. Health and Safety Litigation

1. Government Agencies (OSHA, EPA, Health Departments)
2. Animal Protection Organizations (SPCA, et.al.)
3. Premises Liability Suit Boilerplate
4. Involuntary Confinement vs. False Imprisonment
5. Gross Negligence vs. Depraved Indifference

### F. NLRB Action

1. 1000 Yellow Cards signed by July, 2004
2. Meeting with NLRB Official to be scheduled